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MAY 26 2005

Docket No.: IMEC281.001AUS

May 26, 2005

Page 1 of 1

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AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Clarysse, et al.
 App. No : 10/622,084
 Filed : July 16, 2003
 For : SYSTEM AND METHOD FOR
 MEASURING PROPERTIES OF A
 SEMICONDUCTOR SUBSTRATE IN
 A NON-DESTRUCTIVE WAY
 Examiner : Nguyen, Sang H.
 Art Unit : 2877

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John M. Carson, Reg. No. 34,303

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

(X) Election of Species with Traverse in 2 pages.

The fee has been calculated as shown below:

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FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims > 20	27 - 27 =	1202 (\$50)	0 x 50 =	\$0
Independent > 3	6 - 6 =	1201 (\$200)	0 x 200 =	\$0
Multiple Claim	1.16(j)	1203 (\$360)		\$0
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IMEC281.001AUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Clarysse, et al.
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May 26, 2005
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John M. Carson, Reg. No. 34,303

ELECTION OF SPECIES WITH TRAVERSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The issue raised in the Office Action is the requirement for restriction of examination of the application to one of the allegedly distinct species. Relying on 35 U.S.C. § 121, the Examiner required Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner also noted that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon.

In reply to the species election dated May 4, 2005, Applicant elects Figure 9 which is related to Claims 1-14 and 26.

Applicant also traverses the restriction on the following ground. Claims 1, 15, 21, 24, 26, and 27 are the independent claims. Claim 1 is a method of measuring a value of a bulk property of a semiconductor substrate, Claim 15 is an apparatus for measuring a bulk property in a region of a semiconductor substrate, Claim 21 is a method of evaluating a semiconductor substrate, Claim 24 is a method of evaluating a semiconductor substrate, Claim 26 is an apparatus for measuring a value of a bulk property of a semiconductor substrate, and Claim 27 is an apparatus

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Appl. No. : 10/622,084
Filed : July 16, 2003

for evaluating a semiconductor substrate. The present invention is generally related to the evaluation of semiconductor material, particularly evaluating the bulk properties of the semiconductor material. The figures show various embodiments but the figures are not different species of the invention and the claims are not necessarily limited to particular figures. For instance, Figure 9 relates to one embodiment of evaluating bulk properties of the semiconductor material. This is not a distinct species, but rather an embodiment of the invention. Since the species election is prima facie improper as distinct inventions are not found in the claims, Applicant respectfully requests its withdrawal.

Since Applicant has responded to the species election via election and traverse, Applicant submits that the application is now in order for action on the merits. If the Examiner finds any impediment to the prompt allowance of the claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/26/05

By: 

John M. Carson
Registration No. 34,303
Attorney of Record
Customer No. 20,995
(619) 235-8550

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